

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

YEHUDA HERSKOVIC,

Plaintiff,

-against-

VERIZON WIRELESS,

Defendant.

Case No.: 1:19-cv-03372

**DEFENDANT CELLCO
PARTNERSHIP D/B/A
VERIZON WIRELESS'S
FURTHER STATUS UPDATE
RE AVAILABILITY OF BBB
REPRESENTATIVE**

Case Removed: June 6, 2019
Compelled to Arb.: March 6, 2020

Defendant Cellco Partnership d/b/a Verizon Wireless, *incorrectly sued as* “Verizon Wireless” (“Defendant”) submits this further status update in response to the Court’s Scheduling Order, dated June 30, 2021. There, the Court rejected the dates and times previously provided by the BBB National Program (“BBB NP”) due to its unavailability. At that time, additional dates and times during the week of July 12, 2021 were requested. Defendant’s counsel has been in further communication with the BBB NP, and has sought additional dates and times that a representative can be available by telephone for a Court conference. The dates the BBB NP has provided are as follows:

Monday, July 12, 2021 between 10AM-12PM EST;

Tuesday, July 13, 2021 between 10AM-12PM EST or between 1PM and 5PM EST, and

Thursday, July 15, 2021 between 10AM-12PM EST.

Defendant’s counsel is currently scheduled for a court-ordered conference in another case for the morning of July 12, 2021, and also, on July 15, 2021. The July 15, 2021 date is indelible. While mindful that these conflicts limit the availability of defense counsel, as of this writing, it remains unclear whether the July 12 conference will proceed. If that conflicting conference does not go forward, July 12, 2021 would be available. For now however, Defendant respectfully

requests that the conference not be set for that date, or for July 15. Counsel will promptly advise the court should July 12 open up.

Based upon the current circumstances, July 13, 2021 presents as the most viable date, assuming of course that it works for the Court.

As before, we will stand by and await the Court's directive regarding this delicate scheduling circumstance, and of course will use our best efforts to accommodate or seek viable alternatives if required or so requested.

Dated: New York, New York
July 1, 2021

Respectfully submitted,

Howard A. Fried

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